

State of California  
AIR RESOURCES BOARD

EXECUTIVE ORDER S-17-004

Adoption and Submittal of the San Diego County Air Pollution Control District  
2008 8-Hour Ozone Reasonably Available Control Technology  
Demonstration for San Diego County

WHEREAS, the California Legislature in Health and Safety Code section 39602 has designated the California Air Resources Board (ARB or Board) as the air pollution control agency for all purposes set forth in federal law;

WHEREAS, ARB is responsible for the preparation of the State Implementation Plan (SIP) for attaining and maintaining the national ambient air quality standards (NAAQS) as required by the federal Clean Air Act (the Act; 42 U.S.C. section 7401 et seq.), and to this end is directed by Health and Safety Code section 39602 to coordinate the activities of all local and regional air pollution control and air quality management districts (districts) necessary to comply with the Act;

WHEREAS, ARB has primary responsibility for the control of air pollution from vehicular sources, including motor vehicle fuels, as specified in sections 39002, 39500, and part 5 (commencing with section 43000) of the Health and Safety Code, and for ensuring that the districts meet their responsibilities under the Act pursuant to sections 39002, 39500, 39602, 40469, and 41650 of the Health and Safety Code;

WHEREAS, the local air districts have primary responsibility for the control of air pollution from nonvehicular sources and for adopting control measures, rules and regulations to attain the NAAQS within their boundaries pursuant to sections 39002, 40000, 40001, 40701, 40702, and 41650 of the Health and Safety Code;

WHEREAS, section 39602 of the Health and Safety Code also provides that the SIP shall include only those provisions necessary to meet the requirements of the Act;

WHEREAS, section 41650 of the Health and Safety Code requires ARB to approve the nonattainment plan approved by a district as part of the SIP unless the Board finds, after a public hearing, that the plan does not meet the requirements of the Act;

WHEREAS, sections 39515 and 39516 of the Health and Safety Code provide that any duty may be delegated to the Board's Executive Officer as the Board deems appropriate;

WHEREAS, on March 12, 2008, the U.S. Environmental Protection Agency (U.S. EPA) promulgated an 8-hour standard for ozone of 0.075 parts per million (ppm);

WHEREAS, effective June 3, 2016, U.S. EPA classified San Diego County as a Moderate nonattainment area for the 0.075 ppm 8-hour ozone standard and required the submission of a Reasonably Available Control Technology (RACT) SIP by January 1, 2017 (81 FR 26607, et seq.);

WHEREAS, U.S. EPA has published Control Technique Guidelines (CTG) that establish RACT control limits for Volatile Organic Compounds emissions from specific stationary source categories and establish various major source threshold limits for classified nonattainment areas for the 0.075 ppm 8-hour ozone standard;

WHEREAS, U.S. EPA requires districts to review their rules for CTG and major non-CTG sources located in the district to determine if those rules meet RACT requirements and to update or adopt new rules if necessary;

WHEREAS, following U.S. EPA requirements, the District reviewed its existing rules to determine if its rules continue to meet RACT, and concluded that all existing SIP-approved rules either continue to meet RACT or are not subject to RACT requirements;

WHEREAS, federal law set forth in section 110(l) of the Act and Title 40, Code of Federal Regulations (CFR), section 51.102 requires that one or more public hearings, preceded by at least 30 days notice and opportunity for review, must be conducted prior to the adoption and submittal to U.S. EPA of any SIP revision;

WHEREAS, following a duly noticed public hearing on December 14, 2016, the District Board adopted the 2008 8-Hour Ozone Reasonably Available Control Technology Demonstration for San Diego County;

WHEREAS, the California Environmental Quality Act (CEQA) requires that any proposed action for which significant adverse environmental impacts have been identified shall not be approved if there are feasible mitigation measures or feasible alternatives which would substantially reduce or eliminate such impacts; if economic, social or other conditions make infeasible project alternatives or mitigation measures, the project may be approved if specific overriding considerations are identified which outweigh the adverse impacts;

WHEREAS, to meet the requirements of CEQA, the District filed a Notice of Exemption for the San Diego County Air Pollution Control District 2008 8-Hour Ozone Reasonably Available Control Technology Demonstration for San Diego County with the San Diego County Clerk on December 16, 2016;

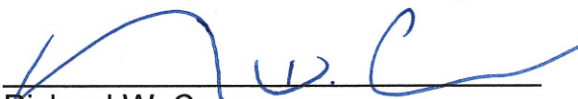
WHEREAS, section 39515 and 39516 delegate to the Executive Officer the authority to act for the Board in this matter;

NOW, THEREFORE, IT IS ORDERED that the Executive Officer hereby adopts as a SIP revision the 2008 8-Hour Ozone Reasonably Available Control Technology Demonstration for San Diego County adopted by the San Diego County Air Pollution Control District.

BE IT FURTHER ORDERED that ARB hereby submits to U.S. EPA the San Diego County Air Pollution Control District 2008 8-Hour Ozone Reasonably Available Control Technology Demonstration for San Diego County and requests that U.S. EPA approve it as a revision to the California SIP.

I certify, pursuant to 40 CFR section 51.102 that the San Diego County Air Pollution Control District 2008 8-Hour Ozone Reasonably Available Control Technology Demonstration for San Diego County being submitted as a SIP revision was adopted after notice and public hearing as required by 40 CFR 51.102.

Executed at Sacramento, California this 12<sup>th</sup> day of April, 2017.

  
Richard W. Corey  
Executive Officer